

**5IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL NO. 3:07CV211-W**

**JAMES JOHNSON,**

**Plaintiff,**

**vs.**

**COCA COLA BOTTLING COMPANY,**

**Defendant.**

**NOTICE OF RECUSAL**

**THIS MATTER** is before the Court sua sponte. Due to close personal relationships with management and substantial shareholders of the Defendant, the undersigned must **RECUSE** himself from further involvement in this case. Accordingly, the Clerk is directed to terminate the referral for all future proceedings.

The Clerk is further directed to send copies of this Notice of Recusal to counsel for the parties; Magistrate Judge Dennis L. Howell; and to the Honorable Frank D. Whitney.

**SO ORDERED.**

Signed: May 31, 2007

*Carl Horn, III*

Carl Horn, III  
United States Magistrate Judge



**Signed: December 21, 2005**

*Carl Horn, III*

---

Carl Horn, III  
United States Magistrate Judge

